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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2015-0296; FRL-9933-58]

Product Cancellation Order and/or Amendments to Terminate Uses for Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's order for the cancellations and/or amendments to terminate uses, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1 and 2 of Unit II., pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a July 8, 2015 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 3 of Unit II to voluntarily cancel and/or amend these product registrations. In the July 8, 2015 notice, EPA indicated that it would issue an order implementing the cancellations and/or amendments to terminate uses, unless the Agency received substantive comments within the 30 day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency received comments on the notice but none merited its further review of the requests. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations and/or amendments to terminate uses. Any distribution, sale, or use of the products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

DATES: The cancellations and/or amendments are effective *[insert date of publication in the Federal Register]*.

FOR FURTHER INFORMATION CONTACT: Khue Nguyen, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460-0001; telephone number: (703) 347-0248; email address: nguyen.khue@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

B. How Can I Get Copies of this Document and Other Related Information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2015-0296, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

II. What Action is the Agency Taking?

This notice announces the cancellation and/or amendments to terminate uses, as requested by registrants, of products registered under FIFRA section 3 (7 U.S.C. 136a). These registrations are listed in sequence by registration number in Table 1 and Table 2 of this unit.

Table 1.--Product Cancellations

EPA Registration Number	Product Name	Chemical Name
100-1217	Gramoxone Inteon	Paraquat dichloride
100-1316	Cyclone Star	Carfentrazone-ethyl, paraquat dichloride
279-3183	Matador Herbicide	Quizalofop-p-ethyl
352-522 ^a	DuPont Glean Fertilizer Compatible Herbicide	Chlorsulfuron
352-586 ^a	DuPont Canvas Herbicide	Metsulfuron, thifensulfuron-methyl, tribenuron-methyl
2724-819	Pyrocid Pressurized Ant & Roach Spray	Propoxur, pyrethrins, piperonyl butoxide, MGK 264
9468-33	Kull 41 S	Glyphosate
9468-34	Kull 62 MUP	Glyphosate

9468-35	Kull TGA I Glyphosate	Glyphosate
59639-109 ^a	Flufenpyr-ethyl Technical	Flufenpyr-ethyl
59639-110 ^a	S-3153 WDG Herbicide	Flufenpyr-ethyl
70596-6	Dichlorprop-p Technical	Dichlorprop-p
70596-13	Dichlorprop-p (Technical Grade)	Dichlorprop-p
NV020006	Moncut 70-DF	Flutolanil

^aThere are no existing stocks of these product registrations and no requests for existing stocks provisions. Therefore no existing stocks provision is provided for these product registrations.

Table 2.--Product Registration Amendments to Terminate One or More Uses

EPA Registration Number	Product Name	Chemical Name	Uses Terminated
2724-818	Pyrocid Intermediate 7045	Propoxur, MGK 264, piperonyl butoxide, pyrethrins	Indoor aerosol, spray, and liquid formulations; use in food handling establishments and indoor crack and crevice use
2724-820	Propoxur Technical Insecticide	Propoxur	Indoor aerosol, spray, and liquid formulations; use in food handling establishments and indoor crack and crevice use
2724-821	Propoxur 70% Concentrate	Propoxur	Indoor aerosol, spray, and liquid formulations; use in food handling establishments and indoor crack and crevice use
5905-250	Fyfanon 8 lb. Emulsion	Malathion	Cull fruits and vegetable dumps
89867-2	Airgas Sulfur Dioxide	Sulfur dioxide	Grapes

Table 3 of this unit includes the names and addresses of record for all registrants of the products in Table 1 and 2 of this unit, in sequence by EPA company number. This number

corresponds to the first part of the EPA registration numbers of the products listed in Table 1 and 2 of this unit.

Table 3.--Registrants of Cancelled and/or Amended Products

EPA Company Number	Company Name and Address
100	Syngenta Crop Protection, LLC P.O. Box 18300 Greensboro, NC 27419
279	FMC Corporation 1735 Market Street Philadelphia, PA 19103
352	E. I. DuPont de Nemours and Company 1007 Market St. Wilmington, DE 19898
2724	Wellmark International, 1501 E. Woodfield Road, Suite 200 West Schaumburg, IL 60173
5905	Helena Chemical Company 7664 Smythe Farm Road Memphis, TN 38120
9468	Ritter Chemical, LLC 9300 Baythorne Dr. Houston, TX 77041
59639	Valent USA Corporation 1600 Riviera Avenue, Suite 200 Walnut Creek, CA 94596
70596	Nufarm Americas, Inc. 4020 Aerial Center Parkway, Suite 101 Morrisville, NC 27560
71711	Nichino America, Inc. 4550 New Linden Hill Road, Suite 501 Wilmington, DE 19808
89867	Airgas USA, LLC 7217 Lancaster Pike, Suite A, P.O. Box 640 Hockessin, DE 19707

III. Summary of Public Comments Received and Agency Response to Comments

During the public comment period provided, EPA received one comment from a private citizen who is opposed to the proposed cancellation of the indoor crack and crevice use of propoxur. The citizen disagrees with the Agency's methodology for assessing the risks from propoxur exposure via the incidental oral exposure pathway. The propoxur risk assessment was

conducted in accordance with current EPA science policies for assessing indoor crack and crevice uses. That assessment identified exposure and risk estimates that are of concern for this exposure pathway for propoxur. As a result of these findings, Wellmark International has requested to voluntarily cancel these uses. The Agency does not believe that the comment submitted during the comment period merits further review or a denial of the request for the amendment to terminate uses.

IV. Cancellation Order

Pursuant to FIFRA section 6(f) (7 U.S.C. 136d(f)), EPA hereby approves the requested cancellations and/or amendments to terminate uses of the registrations identified in Table 1 and 2 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1 and 2 of Unit II are canceled and/or amended to terminate the affected uses. The effective date of the cancellations that are the subject of this notice is [*insert date of publication in the Federal Register*]. Any distribution, sale, or use of existing stocks of the products identified in Table 1 and 2 of Unit II in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VI will be a violation of FIFRA.

V. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA (7 U.S.C. 136d(f)(1)) provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the EPA Administrator may approve such a request. The notice of receipt for this action was published for comment in the **Federal Register** of July 8, 2015 (80 FR 39100) (FRL-9928-54). The comment period closed on August 7, 2015.

VI. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. The existing stocks provisions for the products subject to this order are as follows.

A. For Products 352-522, 352-586, and 59639-109 Identified in Table 1 of Unit II.

The registrants reported to the Agency via written correspondence that there are no existing stocks of EPA registration numbers 352-522, 352-586, and 59639-109.

Therefore, no existing stocks provision was requested by or is needed for these registrants. The registrants will be prohibited from selling or distributing these products upon cancellation of these products, which will be [*insert date of publication of the Cancellation Order in the **Federal Register***], except for export consistent with FIFRA section 17 (7 U.S.C. 136o) or for proper disposal.

Persons other than registrants will generally be allowed to sell, distribute, or use existing stocks of the affected products until such stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled product.

B. For All Other Products Identified in Table 1 of Unit II.

For the other voluntary product cancellations noted in Table 1 of Unit II, the registrants will be permitted to sell and distribute existing stocks of voluntarily canceled products for 1 year after the effective date of the cancellation, which will be [*insert date 1 year after publication of the Cancellation Order in the **Federal Register***]. Thereafter, registrants will be prohibited from selling or distributing the products identified in Table 1 of Unit II, except for export consistent with FIFRA section 17 (7 U.S.C. 136o) or for proper disposal.

Persons other than the registrant may sell, distribute, or use existing stocks of the affected canceled products until supplies are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

C. For All Products Identified in Table 2 of Unit II.

Once EPA has approved product labels reflecting the amendments to terminate uses for the products identified in Table 2 of Unit II, registrants will be permitted to sell or distribute products under the previously approved labeling for a period of 18 months

after the date of **Federal Register** publication of this cancellation order, which will be *[insert date 18 months after publication of the Cancellation Order in the **Federal Register]*** unless other restrictions have been imposed. Thereafter, registrants will be prohibited from selling or distributing the products whose labels include the terminated uses identified in Table 2 of Unit II, except for export consistent with FIFRA section 17 or for proper disposal.

Persons other than the registrant may sell, distribute, or use existing stocks of the products whose labels include the terminated uses until supplies are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the products with the terminated uses.

Authority: 7 U.S.C. 136 *et seq.*

Dated: September 11, 2015.

Richard P. Keigwin, Jr.,

Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

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